

Hello,

I am writing to object strongly to the inclusion of digital "lock-out" technology that prevents end-users and consumers of television and other broadcast media from enjoying rights that have been established by the Constitution, the law, and the courts. While I understand and appreciate the logic that has been set forth by entertainment companies, I would dispute its very foundation, and thus, its applicability to our modern world.

The media companies essentially state that the end-user's ability to make unlimited, perfect copies of their work would deprive them of revenue from selling copies, thus violating their rights. However, within certain bounds, the current laws specifically permit us to do that. For example, the courts have established that I may record a program in its entirety for later viewing. This includes broadcast and cable television, pay-per-view events, and anything else I may receive on my television set. I may fast-forward through the boring bits, invite friends to watch it, or just stuff the video on my shelf for a few years. This is a simple example of fair use rights applied to a common, every-day situation.

In what amounts to a grab of power, these media companies now state that they wish to prevent us from doing this. That new technology threatens their commercial empire, I don't dispute. I do however challenge their assertion that the best solution is regulations that restrict or prevent users from exercising rights granted them under existing law. Media companies do NOT have absolute and total control of their creations; the very act of publishing those works (through television broadcasts, as books on paper, or by other means) confers a number of rights upon the recipients of that publication.

I am currently a Tivo subscriber and would never consider going back to viewing TV the Old fashion, outdated pre PVR/DVR way. I do not sell or give away or even loan my copies of shows. Yet if this regulation is to go through it would basically make illegal this way of viewing entertainment. The Fair Use allows the public and media to move forward, this regulation is a big giant step backwards. Think prohibition and other unpopular restrictive and punitive regulations that only led to a majority of the public side-stepping the issue (legal or not).

In short, it would be inherently unfair to restrict the access of millions of people to content they are legal permitted to record and manipulate purely at the behest of companies seeking to protect their revenues.

Thanks for your time.

Sincerely yours,

William E. Jones